

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
HYPEFORTYPE, LTD., :  
: :  
Plaintiff, : Case No. 1:17-CV-2885 (NG) (ST)  
: :  
v. : :  
ESPN, INC., and LAKESHIRTS, INC., d/b/a : **THIRD STIPULATED REQUEST TO**  
BLUE EIGHTY-FOUR a/k/a BLUE 84, : **EXTEND TIME TO RESPOND TO**  
: **FIRST AMENDED COMPLAINT**  
: **AND PROPOSED ORDER**  
: :  
Defendants. : :  
: :  
-----X

The undersigned does, by this document, state that Counsel for Plaintiff and Defendants have conferred, reached an agreement in principle and have drafted documents but find that additional time is necessary to finalize the orderly resolution of this matter.

Accordingly, Counsel for the Parties each hereby respectfully request the time for Defendants ESPN and Lakeshirts to answer or otherwise respond to the First Amended Complaint be extended up to and including October 31, 2017 or until such other time as the court may order. This is the Third Request for an extension of time.

Dated: October 17, 2017  
New York, New York

**THE MARTINEZ GROUP PLLC**

By: /Frank J. Martinez/  
Frank J. Martinez  
55 Poplar Street, Suite 1-D  
Brooklyn, New York 11201  
Tel: (718) 797-2341  
*Counsel for Plaintiff HypeforType, Ltd.*

SO ORDERED:

October \_\_\_\_\_, 2017

---

Hon. Nina Gershon, U.S.D.J.

## AFFIDAVIT OF SERVICE

I hereby certify that a true copy of the foregoing document, Third Stipulated Request for Extension of Time to Respond to First Amended Complaint and Proposed Order was served on October 17, 2017, by electronic mail only to:

Jeremy S. Goldman  
Frankfurt Kurnit Klein & Selz PC  
488 Madison Avenue, 10<sup>th</sup> Floor  
New York, New York 10022  
Tel: (212) 980-0120  
jgoldman@fkks.com  
*Counsel for Defendant ESPN, Inc.*

Thomas F. Hutchinson  
Eastlund, Solstad, Cade, Hutchinson & Ysebaert Ltd.  
4200 County Road 42 West  
Savage, Minnesota 55378-4048  
Tel: (952) 894-6400  
thutchinson@eschylaw.com  
*Counsel for Defendant Lakeshirts, Inc.*

Date: October 17, 2017

By: /Frank J. Martinez/  
Frank J. Martinez